



500.59 Traffic Crashes

Number Series: 500—Operational
Approved Date: August 5, 2018
Review Due Date: August 5, 2021

Sheriff's Approval: Digital
Review Frequency: 3- Years

POLICY

The Hendry County Sheriff's Office defines the duties and responsibilities of personnel regarding traffic crashes.

PROCEDURE

- A. Primary HCSO responsibility of traffic crashes may be assumed for the following:
 1. A traffic crash in an incorporated city for which the Hendry County Sheriff's Office has a contractual agreement to provide law enforcement services.
 2. At the request of the Florida Highway Patrol during emergency situations.
 3. Traffic crashes occurring in a parking lot in an unincorporated area that involves driver exchange of information/driver report of traffic crash only.
 4. At the direction of a Hendry County Sheriff's Office supervisor.
- B. Agency personnel who respond to the scene of a traffic crash, or come upon a traffic crash, will notify the Telecommunications Center of the exact location of and apparent severity of the crash; i.e., multiple vehicles, injuries, fires, the need for fire rescue, additional assistance, and wreckers. Agency personnel shall respond to the scene of crashes as needed.
 1. Agency personnel responding to a crash involving a disturbance between principals shall:
 - a. Separate the parties involved;
 - b. Notify the investigating agency of the disturbance via the Telecommunications Center;
 - c. Take appropriate enforcement action for crimes committed in the presence of the deputy as a result of the disturbance.
- C. Telecommunications Center personnel will notify the appropriate agency of the information supplied by the deputy on the scene. The employee will notify their supervisor for all agency owned, rented, or leased vehicles involved in crashes or any damage to the vehicle.
- D. Agency personnel will park their vehicles in a manner that provides maximum protection to the crash scene without unduly endangering the public and that provides notice to oncoming or approaching traffic to proceed with caution.
- E. After arriving at a traffic crash scene, agency personnel will:

1. Evaluate the crash, determine the number and extent of injuries at the scene, and request medical assistance as needed. Agency personnel will render medical aid as their experience and training dictates.
2. Request for Emergency Medical Services (EMS) and/or additional assistance like Florida Department of Transportation, Tow Truck, Fire Department, and/or other Officers, as needed.
3. Identify and report to the Telecommunications Center any special hazards to include fire, flammable substances, downed power lines, and debris on the roadway. In the event of fire, deputies will use their discretion based on abilities, training, and available equipment to control the fire until the arrival of fire personnel.
4. Secure the scene, protect any evidence, locate and identify witnesses immediately available and ask them to remain at the scene, and inventory, secure, and protect the property of the injured, deceased, or incapacitated.
5. Attempt to preserve or photograph short-lived evidence.
6. Establish and maintain a safe traffic pattern, especially traffic crash scenes where there is major traffic congestion caused by the traffic crash or by damage to vehicles to the extent that towing is required. At their discretion, agency personnel may use flares and traffic cones to temporarily detour traffic. Agency personnel will relinquish control of traffic direction to the first officer to arrive from the investigating agency, if applicable. Agency personnel may assist after the arrival of the investigating agency, if neeeded.
7. Document all crash information.

F. Hit and Run Crashes

1. Agency personnel coming upon hit and run crashes will follow the same procedures as for other crashes, but will obtain a description of the suspect vehicle and driver, time lapse and direction of travel and relay that information to the Telecommunications Center.
2. Deputies apprehending hit and run suspects will detain the suspect for the investigating agency.

G. Minor Crashes - No Injuries

1. Agency personnel coming upon minor crashes where there are no injuries, no obstruction to traffic, and no other requirement for law enforcement assistance may leave the scene after the appropriate investigating agency has been notified.

H. Deputies may mark the location of and require drivers to move vehicles from roadway crash scenes where there is property damage only. Deputies will not take enforcement actions for violations resulting in traffic crashes, unless the Hendry County Sheriff's Office is the primary investigating agency. This includes driving under the influence.

I. Hazardous Material Incidents

1. Agency personnel suspecting a hazardous material incident as the result of a traffic crash will:
 - a. Advise the Telecommunications Center of the type of hazard (spill, leak, fire), the vehicle description, vehicle container placards, or other pertinent information, such as injuries, and request Fire/Rescue response.
 - b. Make every reasonable attempt to isolate the area and protect the public, victims, and themselves from the threat of injury.
 - c. Secure the scene and evacuate all non-essential personnel.

- d. Supervisors will take all reasonable steps to ensure the safety of agency personnel, the general public, and the injured.
- e. The appropriate agency will conduct the crash investigation.

J. When assuming primary responsibility of traffic crash investigations, deputies shall:

- 1. Obtain/record the information required to complete appropriate crash reports.
- 2. Interview and record the statements of witnesses and document any spontaneous utterances offered by the participants in the deputy's presence.
- 3. Examine the scene and:
 - a. Obtain appropriate measurements for a crash diagram (if appropriate).
 - b. Arrange for photographs to be taken (if necessary).
 - c. Collect, mark, and preserve physical evidence in compliance with agency directives.
 - d. Obtain identification information from and assess damage to participants' vehicles.
- 4. Thoroughly document findings and prepare the appropriate crash report in compliance with state traffic crash investigation guidelines.
- 5. Upon completion of a crash investigation, a deputy should take enforcement action when a violation has been detected, the identity of the violator can be established and available evidence will allow each of the elements of the offense to be sustained. However, in fatal crashes the deputy will call Florida Highway Patrol and refrain from filing routine infraction charges until after the Florida Highway Patrol has completed his/her work and determined whether or not criminal charges are to be pursued. Deputies will also consult with the State Attorney's Office prior to filing minor infraction charges in any fatal crash.
- 6. All traffic crashes that occur which results in death or serious injuries, Florida Highway Patrol (FHP) will be notified for response. The scene will be protected until FHP arrival. Telecommunications will arrange for a teletype message outlining the details of the crash to be transmitted to the FHP.
 - a. FHP will arrange for the notification of next-of-kin of person(s) killed or seriously injured in traffic crashes and notification of medical examiners, prosecutors, and other officials as appropriate.
- 7. Shift supervisors will be responsible for determining the need for and directing follow-up activities to include:
 - a. Collecting scene data as necessary.
 - b. Obtaining/recording formal witness statements if any.
 - c. Traffic crash reconstruction requirements.
 - d. Preparing formal reports to support criminal charges arising from the traffic crash investigation.
- 8. Outside agency professional or technical assistance will be made available consistent with investigatory needs. Outside agency expert technical assistance may be obtained from one or more of the following, provided sufficient justification exists:
 - a. Surveyors
 - b. Mechanics
 - c. Physicists
 - d. Physicians
 - e. Traffic crash reconstruction specialists.

9. The first deputy on scene is designated as the officer in charge unless relieved by the shift supervisor.
10. In the event those who are involved are removed from the scene of the crash either by ambulance or arrest, it will be the investigating deputy's responsibility to inventory and secure said persons' personal property. This can be accomplished in the following manner:
 - a. Released to a relative or friend at the owner's request
 - b. Transferred to Evidence for safekeeping
 - c. Transported with persons involved.

K. Hit and Run Investigations

1. Fatalities - responsibility for conducting follow-up investigations for crashes involving actual or impending death to one or more persons will be vested in the Florida Highway Patrol.
2. Personal Injury/Property Damage - follow-up investigations for hit and run crashes involving property damage or injury that does not result in actual or impending death of the victim will, with appropriate supervisory approval, be handled by deputies assigned to investigate the collision.
 - a. Follow-up reports on all open investigations will be required at 30-day intervals.

L. DUI crash investigations

1. At the conclusion of the traffic crash investigation, the deputy will conduct a criminal investigation to determine if probable cause for DUI exists, if signs of impairment are observed.

M. Reporting Methods

1. When deputies take the primary role in traffic crash investigations they will complete either the "Long Form" or "Short Form" Florida Traffic Crash Report. For further guidelines and information, refer to the "Instructions for Completing the Florida Uniform Traffic Crash Report Forms" publication by the Florida Department of Highway Safety and Motor Vehicles.
2. Generally, deputies will refrain from investigating collisions/crashes:
 - a. Previously investigated by another law enforcement agency.
 - b. That take place inside the limits of any incorporated municipality, however:
 1. This section will not be interpreted to nullify local mutual assistance pacts agreed to by the Sheriff and state/municipal authorities.
 2. When jurisdictional disputes cannot be amicably resolved, deputies will proceed to conduct the investigation, documenting the location of the crash in accordance with the available evidence and the deputy's own best judgment.
 3. When the Sheriff's Office has a contractual obligation to provide law enforcement services to an incorporated municipality.
 - c. That take place in parking lots and on residential streets provided that use of a long or short form traffic crash report is not warranted.
 - d. That occur on private property that is not open to the general public. Accidents involving a motor vehicle that occur on private property not open to the general public, and where there is personal injury or death,

will be investigated in the same manner as non-motor vehicle injury or death cases.

3. In the absence of investigative criteria specified above, deputies may:
 - a. Supply participants with copies of the "Short Form" Report and permit them to fulfill reporting requirements. Such forms may be delivered to participants in person or supplied by mail.
 - b. Complete entries on the "Short Form" Report on behalf of the participants.
4. Exchange of Information
 - a. The law enforcement officer at the scene of a traffic crash required to be reported in accordance with the provisions of Florida Statute 316.066 will instruct the driver of each vehicle involved in the crash to report the following to all other parties suffering injury or property damage as an apparent result of the crash:
 1. The name and address of the owner and the driver of the vehicle.
 2. The license number of the vehicle.
 3. The name of the liability carrier for the vehicle.
 - b. This requirement may be fulfilled by providing a copy of the crash report or a copy of the completely filled out information exchange report form to each participant.

N. Data Collection

1. Yearly traffic crash analysis reports shall be made available for possible deployment of personnel in specific target areas, and determine other issues that may need to be addressed.

DEFINITIONS

CRASH – An unstabilized situation, which includes at least one harmful event not directly resulting from a cataclysm.

CRASH REPORT FORMS – Form prepared and supplied by the Florida Department of Highway Safety and motor Vehicles (DHSMV), intended for reporting traffic crashes.

DAMAGE – Harm to property that reduces the monetary value of the property, excluding mechanical failure occurring during normal operations.

FATAL INJURY – Any injury that results in death

TRAFFIC CRASH – A motor vehicle crash in which the unstabilized situation originates on a traffic way or a harmful event occurs on a roadway.

REFERENCES

State/Federal Regulations:

Florida Statute 316.066

CFA:

CFA Standards 18.03M, 18.04M, and 18.05M

Forms:

None

Other Policy/ Procedure References:

None